



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Blue Ridge Regional Office

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

Lynchburg Office
7705 Timberlake Road
Lynchburg, Virginia 24502
(434) 582-5120
Fax (434) 582-5125

David K. Paylor
Director

Robert J. Weld
Regional Director

Roanoke Office
3019 Peters Creek Road
Roanoke, Virginia 24019
(540) 562-6700
Fax (540) 562-6725

November 27, 2012

Mr. Scott Hartman
Senior Plant Manager
Aquatic Co.
P.O. Box 177
South Boston, VA 24592

Location: Halifax County
Registration No.: 30794
AFS ID: 51-083-00037

Dear Mr. Hartman:

Attached is a permit to operate your bathware manufacturing facility pursuant to 9 VAC 5 Chapter 80 of the Virginia Regulations for the Control and Abatement of Air Pollution. This permit incorporates provisions from the NSR permits dated November 29, 1984 as amended September 15, 1995, April 7, 2003, April 21, 2005, May 8, 2006, and February 23, 2012; December 9, 1988 as amended December 17, 1993; and February 13, 2009.

The permit contains legally enforceable conditions. Failure to comply may result in a Notice of Violation and civil penalty. Please read all permit conditions carefully.

In evaluating the application and arriving at a final decision to issue this permit, the Department deemed the application complete on February 23, 2012 and solicited written public comments by placing a newspaper advertisement in *The Virginian Gazette* on September 7, 2012. The comment period (provided for in 9 VAC 5-80-270) expired on October 9, 2012.

This approval to operate does not relieve Aquatic Co. of the responsibility to comply with all other local, state, and federal permit regulations.

Issuance of this permit is a case decision. The Regulations, at 9 VAC 5-170-200, provide that you may request a formal hearing from this case decision by filing a petition with the Board within 30 days after this permit is mailed or delivered to you. Please consult that and other relevant provisions for additional requirements for such requests.

Additionally, as provided by Rule 2A:2 of the Supreme Court of Virginia, you have 30 days from the date you actually received this permit or the date on which it was mailed to you, whichever occurred first, within which to initiate an appeal to court by filing a Notice of Appeal with:

David K. Paylor, Director
Department of Environmental Quality
P. O. Box 1105
Richmond, VA 23218

In the event that you receive this permit by mail, three days are added to the period in which to file an appeal. Please refer to Part Two A of the Rules of the Supreme Court of Virginia for additional information including filing dates and the required content of the Notice of Appeal.

If you have any questions concerning this permit, please call Patrick Corbett at (434)582-6230.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert J. Weld", is written over a horizontal line.

Robert J. Weld
Regional Director

Attachment: Permit

cc: Director, OAPP (electronic file submission)
Manager, Data Analysis (electronic file submission)
Chief, Air Enforcement Branch (3AP12), U.S. EPA, Region III
Manager/Inspector, Air Compliance



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

Blue Ridge Regional Office

www.deq.virginia.gov

Douglas W. Domenech
Secretary of Natural Resources

Lynchburg Office
7705 Timberlake Road
Lynchburg, Virginia 24502
(434) 582-5120
Fax (434) 582-5125

David K. Paylor
Director

Robert J. Weld
Regional Director

Roanoke Office
3019 Peters Creek Road
Roanoke, Virginia 24019
(540) 562-6700
Fax (540) 562-6725

Federal Operating Permit Article 1

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated, or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act and 9VAC5-80-50 through 9VAC5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name: Aquatic Co.
Facility Name: Aquatic Co. – South Boston, VA
Facility Location: 1100 Industrial Park Road, Halifax Industrial Park
South Boston, Virginia
Registration Number: 30794
Permit Number: BRRO30794

11/27/2012
Effective Date

11/26/2017
Expiration Date

11/27/2012
Signature Date

Robert J. Weld
Regional Director

Table of Contents, 2 pages
Permit Conditions, 25 pages

Table of Contents

I. FACILITY INFORMATION.....	1
II. EMISSION UNITS.....	2
III. FRP LINE AND ACRYLIC LINE	4
A. LIMITATIONS.....	4
B. MONITORING.....	5
C. RECORDKEEPING.....	6
D. TESTING	7
IV. MOLD FABRICATION LINE	7
A. LIMITATIONS.....	7
B. MONITORING AND RECORDKEEPING	8
V. ACRYLIC WHIRLPOOL BATHWARE LINE.....	9
A. LIMITATIONS.....	9
B. MONITORING AND RECORDKEEPING	10
C. TESTING	12
VI. FACILITY WIDE CONDITIONS	12
A. SPACE HEATING	12
VII. 40 CFR 63 SUBPART WWW REQUIREMENTS.....	13
A. COMPLIANCE DATES	13
B. APPLICABLE EMISSIONS AND WORK PRACTICE STANDARDS.....	13
C. PERFORMANCE TESTING AND COMPLIANCE DEMONSTRATION	14
D. REQUIREMENTS FOR ADD-ON CONTROL DEVICES	14
E. NOTIFICATIONS	15
F. REPORTING.....	15
G. RECORDS.....	15
VIII. INSIGNIFICANT EMISSION UNITS.....	15
IX. PERMIT SHIELD & INAPPLICABLE REQUIREMENTS	16
X. GENERAL CONDITIONS	16
A. FEDERAL ENFORCEABILITY	16
B. PERMIT EXPIRATION	16
C. RECORDKEEPING AND REPORTING	17
D. ANNUAL COMPLIANCE CERTIFICATION.....	18
E. PERMIT DEVIATION REPORTING	19
F. FAILURE/MALFUNCTION REPORTING	19
G. SEVERABILITY.....	19
H. DUTY TO COMPLY	20
I. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE	20
J. PERMIT MODIFICATION.....	20
K. PROPERTY RIGHTS	20
L. DUTY TO SUBMIT INFORMATION	20
M. DUTY TO PAY PERMIT FEES.....	20
N. FUGITIVE DUST EMISSION STANDARDS.....	21
O. STARTUP, SHUTDOWN, AND MALFUNCTION.....	21
P. ALTERNATIVE OPERATING SCENARIOS	21
Q. INSPECTION AND ENTRY REQUIREMENTS.....	22
R. REOPENING FOR CAUSE	22

S. PERMIT AVAILABILITY.....	23
T. TRANSFER OF PERMITS	23
U. MALFUNCTION AS AN AFFIRMATIVE DEFENSE.....	23
V. PERMIT REVOCATION OR TERMINATION FOR CAUSE	24
W. DUTY TO SUPPLEMENT OR CORRECT APPLICATION	24
X. STRATOSPHERIC OZONE PROTECTION	24
Y. ASBESTOS REQUIREMENTS	24
Z. ACCIDENTAL RELEASE PREVENTION.....	25
AA. CHANGES TO PERMITS FOR EMISSIONS TRADING	25
BB. EMISSIONS TRADING	25

I. Facility Information

Permittee

Aquatic Co.
8101 E. Kaiser Blvd., Suite 200
Anaheim, CA 92808

Responsible Official

Scott Hartman
Senior Plant Manager

Facility

Aquatic Co. – South Boston, VA
1100 Industrial Park Road - Halifax Industrial Park
South Boston, VA 24592

Contact Person

Dave Clouser
HSE Contact
(717)367-1100 ext. 50135

State-County-Plant: 51-083-00037

Facility Description: SIC/NAICS 3088/326191 – This facility's production consists of fabrication of fiberglass reinforced bath fixture molds and fiberglass reinforced acrylic bathtubs/showers. The facility has the following new source review permits: a permit dated November 29, 1984 as amended September 15, 1995, April 7, 2003, April 21, 2005, May 8, 2006, and February 23, 2012 (the 2/23/2012 Permit); a permit dated December 9, 1988 as amended December 17, 1993 (the 12/17/1993 permit); and a permit dated February 13, 2009.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
FRP Line							
G1	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	RTO	Styrene/PM	2/23/2012
G2	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	RTO	Styrene/PM	2/23/2012
G3	S1	First cure room, Lasco designed	Unknown	Concentrator/RTO	RTO	Styrene	2/23/2012
G4	S1	First LAM Prep station	Unknown	Concentrator/RTO	RTO	Styrene	2/23/2012
G5	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	RTO	Styrene/PM	2/23/2012
G6	S1	First LAM roll	9.0 lbs/hr	Concentrator/RTO	RTO	Styrene	2/23/2012
G7	S1	1 st LAM cure and trim	Unknown	Concentrator/RTO	RTO	Styrene	2/23/2012
G8	S1	2 nd LAM prep station	398 lbs/hr	Concentrator/RTO	RTO	Styrene	2/23/2012
G9	S1	Lasco Designed Spray booth	4032 lbs/hr	Concentrator/RTO	RTO	Styrene/PM	2/23/2012
G10	S1	2 nd LAM roll	5 lbs/hr	Concentrator/RTO	RTO	Styrene	2/23/2012
G11	S1	2 nd Cure room, Lasco designed	Unknown	Concentrator/RTO	RTO	Styrene	2/23/2012
G12	S1	Part Pull	2254 ft ² /hr	Concentrator/RTO	RTO	Styrene	2/23/2012
G13	S1	Mold Prep Station	0.5 lbs/hr	Concentrator/RTO	RTO	Styrene	2/23/2012
G14	S5	Trim booth	2254 lbs/hr	Polyester filter media	-	PM	2/23/2012
G16	-	Part repair	0.2 lbs hr	-	-	-	2/23/2012
G36	-	Space heater	5.74 MMBtu/hr	-	-	-	2/23/2012
Acrylic Line							
A17	-	Vacuum Forming station, TM Plastic Machinery Stations	300.2 lbs/hr	-	-	-	2/23/2012
A18	-	Acrylic shells loading station	Unknown	-	-	-	2/23/2012
A19	S6	Lasco Designed Spray booth	1007.3 lbs/hr	Polyester filter media	-	PM	2/23/2012
A20	-	Cure Area	Unknown	-	-	-	2/23/2012
A21	S7	1 st LAM Prep station	Unknown	Polyester filter media	-	PM	2/23/2012
A22	S8	Lasco Designed Spray booth	1007.3 lbs/hr	Polyester filter media	-	PM	2/23/2012
A23	S9	Roll and Cure	3.1 lbs/hr	Polyester filter media	-	-	2/23/2012
A24	S9	Prep and Cure	135.7 lbs/hr	Polyester filter media	-	-	2/23/2012
A25	S8	Optional Lasco Designed Spray booth	1007.3 lbs/hr	Polyester filter media	-	PM	2/23/2012

Emission Unit ID	Stack ID	Emission Unit Description	Size/Rated Capacity*	Pollution Control Device (PCD) Description	PCD ID	Pollutant Controlled	Applicable Permit Date
A26	S7	Optional Roll station	1.969 lbs/hr	Polyester filter media	-	PM	2/23/2012
A27	-	Cure Area	11.3 tons/yr	-	-	-	2/23/2012
A28	-	Part pull	6,480,000 ft ² /yr	-	-	-	2/23/2012
A29a	S10	Trim booth, downdraft booth	6,480,000 ft ² /yr	Polyester filter media or self contained	-	PM	2/23/2012
A29b	S11	Trim booth, downdraft booth	6,480,000 ft ² /yr	Polyester filter media	-	PM	2/23/2012
A31	-	Part repair	Unknown	-	-	-	2/23/2012
A32	-	Space heater	5.74 MMBtu/hr	-	-	-	2/23/2012
Both Lines							
AG32	S2	Gel coat mixing and storage room	293.3 lbs/hr	Polyester filter media	-	PM	2/23/2012
AG33	S2	Virgin resin storage room	1216.5 lbs/hr	Polyester filter media	-	PM	2/23/2012
AG34	S1	Holding tanks	2872 lbs/hr	Concentrator/RTO	RTO	Styrene	2/23/2012
AG35	S4	Mixing room	2872 lbs/hr	Polyester filter media	-	PM	2/23/2012
Mold Fabrication							
OP1	S17	Mold Fabrication Spray Station	120.6 lbs/hr	-	-	-	12/17/1993
OP2	S18	Mold Fabrication Spray Station	120.6 lbs/hr	-	-	-	12/17/1993
OP3	S19	Mold Fabrication Weld Station	387 lbs/hr	-	-	-	12/17/1993
OP4		Mold Fabrication Oven	420 molds/yr	-	-	-	12/17/1993
Acrylic Whirlpool Manufacturing							
OA1		TM Plastic Machinery Lasco 2-Station Shuttle (vacuum forming)	504 lbs/hr	-	-	-	2/13/2009
OA2		Mooney Hy-Solv Dispenser (mix)	968 lbs/hr	-	-	-	2/13/2009
OA3	S14	Spray Booth	1160 lbs/hr	Fabric filter	-	Particulate	2/13/2009
OA4	S14	Spray Booth	1160 lbs/hr	Fabric filter	-	Particulate	2/13/2009
OA5		Ambient Cure	6,480,000 ft ² /yr	-	-	-	2/13/2009
OA7	S16	Grinding	11.3 tons/yr	Fabric filter	-	Particulate	2/13/2009
OA8	S15	Drilling	6,480,000 ft ² /yr	Fabric filter	-	Particulate	2/13/2009
OA9		Assembly	6,480,000 ft ² /yr	-	-	-	2/13/2009
OA11	S20	Off-Line Coating		Fabric filter	-	Particulate	2/13/2009

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. FRP Line and Acrylic Line

(Ref. G1-G14, G16, A17-A29b, A31, AG32-AG34)

A. Limitations

1. VOC emissions from the FRP line (G1-G13) and storage tank (AG34) shall be controlled by permanent total enclosure (Method 204 of 40CFR51 Appendix M) followed by thermal oxidation or approved alternative (RTO). The control device shall be provided with adequate access for inspection.
(9VAC5-80-110 and Condition 3 of the 2/23/2012 Permit)
2. The maximum volatile organic compound emissions from the FRP Line (G1 - G14, G16), and Acrylic Line (A17-A29B, A31, AG32 - AG34) shall not exceed 174.0 lbs/hr, but on an overall annual basis the average emissions rate shall not exceed 152 lbs/hr and 226 tons/yr.
(9VAC5-80-110 and Condition 2 of the 2/23/2012 Permit)
3. The approved fuels for the RTO are natural gas and propane. A change in the fuels may require a permit to modify and operate.
(9VAC5-80-110 and Condition 4 of the 2/23/2012 Permit)
4. The RTO shall operate in accordance with the following specifications:
 - a. The RTO will destroy at least 95% of the organic compounds and vapors entering the unit. Where the RTO includes control devices in series, an overall capture and control efficiency of at least 90.0% is equivalent to the 95% control efficiency requirement for each device.
 - b. The RTO will operate at a minimum temperature of 1400°F.
 - c. The RTO's residence time shall be an average of 0.5 seconds.
 - d. Sufficient excess air will be introduced into the unit (if necessary) to insure proper oxidation of the organic compounds and vapors.
 - e. Repair parts of high usage items shall be maintained at the plant to reduce the length of any repair time.
 - f. All piping, valves, and associated equipment will be properly maintained to minimize fume leakage.
(9VAC5-80-110 and Condition 5 of the 2/23/2012 Permit)
5. In addition to the RTO, volatile organic emissions shall be reduced by using the following:
 - a. The use of airless sprays.

- b. Overspray collection through dry filter media.
- c. Negative pressures in the process room to control fugitive emissions.
- d. Close control of material consumption.
- e. The use of elevated exhausts and high exit velocities.

(9VAC5-80-110 and Condition 6 of the 2/23/2012 Permit)

- 6. All uncontrolled process stacks (Ref. S2, S4, S6, S7, S8, S9), excepting trimming and parts repair (Ref. S5, S10, S11), shall be at least 58' high and have a stack velocity of at least 4000 feet per minute.
(9VAC5-80-110 and Condition 7 of the 2/23/2012 Permit)
- 7. The mixing process (Ref. AG32, AG35) shall be controlled by a fabric filter.
(9VAC5-80-110 and 9VAC5-50-10 D)
- 8. Visible emissions from the FRP Line (G1 - G14, G16), and Acrylic Line (A17-A29B, A31, AG32 - AG34) exhaust stacks (Ref. S1, S2, S4, S5-S11) shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed (30) percent opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9VAC5-80-110 and 9VAC5-50-80)

B. Monitoring

- 1. The RTO shall be equipped with a device (thermocouples) for the continuous measurement and recording of the temperature in the combustion zone.
(9VAC5-80-110 and Condition 5.b of the 2/23/2012 Permit)
- 2. The RTO shall be equipped with a device for the continuous measurement and recording of the gas discharge flow.
(9VAC5-80-110 and Condition 5.c of the 2/23/2012 Permit)
- 3. The RTO shall be equipped with devices for the continuous measurement and recording of the desorb cycle temperature and frequency.
(9VAC5-80-110 and Condition 5.d of the 2/23/2012 Permit)
- 4. The permittee shall develop, in writing, maintain, and have available to all operators good operating procedures for all air pollution control equipment. A maintenance schedule for all such equipment will be established and made available to the DEQ for review. Records of service and maintenance will be maintained by the source for a period of five (5) years.
(9VAC5-80-110 and Condition 12 of the 2/23/2012 Permit)

5. Visual emission observations from the FRP and Acrylic Lines fabric filter exhaust stacks (Ref. S2, S4, S5, S6, S7, S8, S9, S10, S11) shall be conducted at least once per week. If visible emissions are observed, the permittee shall:
 - a. take timely corrective action such that the fabric filter resumes normal operation and there are no visible emissions from the fabric filter exhaust stack, or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the fabric filter does not exceed twenty (20) percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed five percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the fabric filter resumes operation with visible emissions of twenty (20) percent or less.

Records shall be maintained, on site, stating the date and time of each visible emissions check and whether visible emissions were observed and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions. (9VAC5-80-110 and 9VAC5-50-20)

C. Recordkeeping

The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Blue Ridge Regional Office. These records shall include, but are not limited to:

1. annual usage of coatings and VOC emissions, calculated monthly as the sum of each consecutive twelve (12) month period. The VOC content of the materials is to be determined and certified using approved EPA test methodologies such as 40 CFR 60, Appendix A, EPA Reference Method 24 or equivalent. If it is demonstrated to the satisfaction of DEQ that coating formulation data are equivalent to Method 24 results, formulation data may be used;
2. destruction efficiency of the RTO;
3. temperature of the RTO;
4. the RTO desorb temperature and frequency;
5. residence time of the RTO; and
6. flow rate, including excess air, of the RTO.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9VAC5-80-110, 9VAC5-50-50, and Condition 9 of the 2/23/2012 Permit)

D. Testing

The FRP Line (G1 - G14, G16), and Acrylic Line (A17-A29B, A31, AG32 - AG 34) shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations. (9VAC5-80-110, 9VAC5-50-30, and Condition 8 of the 2/23/2012 Permit)

IV. Mold Fabrication Line

(Ref. OP1 – OP4)

A. Limitations

1. The gel coat station (Ref. OP1) shall consume no more than 9.15 tons of gel coat per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9VAC5-80-110 and Condition 3 of the 12/17/1993 Permit)
2. The laminating station (Ref. OP2) shall consume no more than 58.35 tons of resin per year, calculated monthly as the sum of each consecutive twelve (12) month period.
(9VAC5-80-110 and Condition 4 of the 12/17/1993 Permit)
3. Visible emissions from the gel coat spray (Ref. OP1) and lamination (Ref. OP2) stations exhaust stack (Ref. S17, S18) shall not exceed 5 percent opacity.
(9VAC5-80-110, 9VAC5-50-80, and Condition 7 of the 12/17/1993 Permit)
4. Visible emissions from the welding station's (Ref. OP3) exhaust stack (Ref. S19) shall not exceed twenty (20) percent opacity, except during one six-minute period in any one hour in which visible emissions shall not exceed thirty (30) percent opacity, as determined by the EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown, and malfunction.
(9VAC5-80-110 and 9VAC5-50-80)
5. Emissions from the operation of the gel coat station (Ref. OP1) shall not exceed the limits specified below:

Volatile Organic Compounds	2.4 lbs/hr	2.6 tons/yr
----------------------------	------------	-------------

(9VAC5-80-110 and Condition 5 of the 12/17/1993 Permit)
6. Emissions from the operation of the laminating station (Ref. OP2) shall not exceed the limits specified below:

Volatile Organic Compounds	4.3 lbs/hr	4.8 tons/yr
----------------------------	------------	-------------

(9VAC5-80-110 and Condition 6 of the 12/17/1993 Permit)

B. Monitoring and Recordkeeping

1. Visual emission observations from the Mold Fabrication Line's exhaust stacks (Ref. S17, S18, S19) shall be conducted at least once per week. If visible emissions are observed, the permittee shall:
 - a. take timely corrective action such that the Mold Fabrication Line resume normal operation and there are no visible emissions from the exhaust stacks (Ref. S17, S18, S19), or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the Mold Fabrication Line's exhaust stacks (Ref. S17, S18) do not exceed five (5) percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed five percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the Mold Fabrication Line's exhaust stacks (Ref. S17, S18) resume operation with visible emissions of five (5) percent or less, and
 - c. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the Mold Fabrication Line's exhaust stack (Ref. S19) do not exceed twenty (20) percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed 20 percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the Mold Fabrication Line's exhaust stack (Ref. S19) resume operation with visible emissions of twenty (20) percent or less.

Records shall be maintained, on site, stating the date and time of each visible emissions check and whether visible emissions were observed and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions. (9VAC5-80-110 and 9VAC5-50-20)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Blue Ridge Regional Office. These records shall include, but are not limited to the
 - a. annual usage and VOC content of gel coat and resin, calculated monthly as the sum of each consecutive twelve (12) month period. The VOC content is to be determined and certified using approved EPA test methodologies such as 40 CFR 60, Appendix A, EPA Reference Method 24 or equivalent.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9VAC5-80-110, 9VAC5-50-50, and Condition 11 of the 12/17/1993 Permit)

V. Acrylic Whirlpool Bathware Line

(Ref. OA1-5, OA7-9, OA11)

A. Limitations

1. Particulate emissions from the grinding and drilling operation (OA7, OA8) shall be controlled by fabric filters. The fabric filters shall be provided with adequate access for inspection and shall be in operation when the respective process is operating.
(9VAC5-80-110 and Condition 2 of the 2/13/09 Permit)
2. Particulate emissions from the operation of the spray booths (OA3, OA4, OA11) shall be controlled by fabric filters
(9VAC5-80-110 and Condition 3 of the 2/13/09 Permit)

3. Emissions from the operation of the grinding and drilling operation (OA7, OA8) shall not exceed the limits specified below:

PM	0.5 lbs/hr	1.7 tons/yr
PM-10	0.5 lbs/hr	1.7 tons/yr

(9VAC5-80-110 and Condition 4 of the 2/13/09 Permit)

4. Emissions from the operation of the resin application operation (OA3, OA4, OA11) shall not exceed the limits specified below:

PM	0.0005 lb _{PM} /lb _{resin applied}
PM-10	0.0005 lb _{PM} /lb _{resin applied}

(9VAC5-80-110 and Condition 5 of the 2/13/09 Permit)

5. Emissions from the application of PVC glue shall not exceed the limits specified below:

VOC	5.6 tons/yr
-----	-------------

(9VAC5-80-110 and Condition 6 of the 2/13/09 Permit)

6. Emissions from the application of polyester and gelcoat resins (OA3, OA4, OA11) shall not exceed the limits specified below:

Styrene as VOC	84.6 tons/yr
----------------	--------------

(9VAC5-80-110 and Condition 7 of the 2/13/09 Permit)

7. Emissions from the use of resin catalysts (OA3, OA4, OA11) shall not exceed the limits specified below:

VOC 1.4 tons/yr

(9VAC5-80-110 and Condition 8 of the 2/13/09 Permit)

8. Visible emissions from the Acrylic Whirlpool Bathware Line's (Ref. OA3-4, OA7-8, OA11) exhaust stacks (Ref. S14-16, S20) shall not exceed five (5) percent opacity.
(9VAC5-80-110, 9VAC5-50-80, and Condition 9 of the 2/13/09 Permit)

B. Monitoring and Recordkeeping

1. Each fabric filter (OA7, OA8) shall be equipped with a device to continuously measure the differential pressure drop across the fabric filter. The differential pressure shall be recorded weekly. Each monitoring device shall be installed, maintained, calibrated and operated in accordance with approved procedures which shall include, as a minimum, the manufacturer's written requirements or recommendations. Each device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times.
(9VAC5-80-110 and Condition 2 of the 2/13/09 Permit)
2. Procedures for the operation and maintenance of the filters (OA3, OA4, OA11) shall be developed. These procedures shall contain steps to ensure appropriate installation practices and schedules, and operating checks to ensure the filter is installed and operating correctly. The permittee shall train personnel to these procedures no less frequently than annually.
(9VAC5-80-110 and Condition 3 of the 2/13/09 Permit)
3. Visual emission observations from the Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9, OA11) exhaust stacks (Ref. S14, S15, S16, S20) shall be conducted at least once per week. If visible emissions are observed, the permittee shall:
 - a. take timely corrective action such that the Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9, OA11) resume normal operation and there are no visible emissions from the exhaust stacks (Ref. S14, S15, S16, S20), or
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the Acrylic Whirlpool Bathware Line's (Ref. OA1-5, OA7-9, OA11) exhaust stacks (Ref. S14, S15, S16, S20) do not exceed five percent opacity. The VEE shall be conducted for a minimum of six minutes. If any of the 15-second observations exceed five (5) percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the Mold Fabrication Line's exhaust stacks (Ref. S14, S15, S16) resume operation with visible emissions of five (5) percent or less.

Records shall be maintained, on site, stating the date and time of each visible emissions

check and whether visible emissions were observed and any required corrective action taken. Visible emissions checks are not required during start-ups, shut-downs, and malfunctions. (9VAC5-80-110)

4. In the event the permittee discovers information indicating that actual emissions are higher than the emissions calculated pursuant to Condition V.B.5, the permittee shall furnish written notification to the Blue Ridge Regional Office within 14 days of discovering the information. (9VAC5-80-110)
5. The permittee shall maintain records of all emission data and operating parameters for the Acrylic Whirlpool Bathware Line (Ref. OA1-5, OA7-9, OA11) necessary to demonstrate compliance with this permit. The content and format of such records shall be arranged with the Blue Ridge Regional Office. These records shall include, but are not limited to:
 - a. Monthly and annual hours of operation for the grinding and drilling operation (OA7, OA8). Annual hours of operation shall be calculated by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - b. Monthly emissions calculations for PM-10 from the grinding and drilling operation (OA7, OA8) using calculation methods approved by the Blue Ridge Regional Office to verify compliance with the ton/yr emissions limitations in Condition V.A.3. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - c. Annual throughput of PVC glue, calculated monthly as the sum of each consecutive twelve (12) month period.
 - d. Monthly emissions calculations for VOC from PVC glue using calculation methods approved by the Blue Ridge Regional Office to verify compliance with the ton/yr emissions limitations in Condition V.A.4. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - e. Annual throughput of polyester resin and gelcoat resin, calculated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
 - f. Monthly emissions calculations for styrene (as VOC) from resins using calculation methods approved by the Blue Ridge Regional Office and in accordance with Attachment A of this permit multiplied by 1.3 to verify compliance with the ton/yr emissions limitations in Condition V.A.6. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.

- g. Monthly emissions calculations for particulate from resin application using calculation methods approved by the Blue Ridge Regional Office. Annual emissions shall be calculated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- h. Annual throughput of catalyst, calculated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- i. Monthly emissions calculations for VOC from catalyst usage, assuming 0.7% of the TXIB and 100% of the MEK are emitted as VOC (unless otherwise approved in writing by the Blue Ridge Regional Office), to verify compliance with the ton/yr emissions limitations in Condition V.A.7. Compliance for the consecutive 12-month period shall be demonstrated monthly by adding the total for the most recently completed calendar month to the individual monthly totals for the preceding 11 months.
- j. Material Safety Data Sheets (MSDS), Certified Product Data Sheets (CPDS), or other vendor information as approved by the Blue Ridge Regional Office showing VOC content and styrene content for each glue, resin, catalyst, or cleaning solution used.
- k. Scheduled and unscheduled maintenance and operator training.
- l. Results of weekly differential pressure monitoring.
- m. Results of all stack tests, visible emission evaluations and performance evaluations.

These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9VAC5-80-110 and Condition 10 of the 2/13/09 Permit)

C. Testing

The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from the Department, test ports shall be provided at the appropriate locations.

(9VAC5-80-110, 9VAC5-50-30, and Condition 11 of the 2/13/09 Permit)

VI. Facility Wide Conditions

A. Space Heating

- 1. Fuels - The approved fuels for the space heaters and make-up air heaters are natural gas and propane. A change in the fuels may require a permit to modify and operate.
(9VAC5-80-110 and Condition 4 of the 2/23/2012 Permit)
- 2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content and format of such records shall be

arranged with the Blue Ridge Regional Office. These records shall include, but are not limited to, the annual throughput of natural gas (in million cubic feet) and or propane (1,000 gallon). The annual throughput shall be calculated as the sum of each consecutive twelve (12) month period. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9VAC5-80-110, 9VAC5-50-50, and Condition 9 of the 2/23/2012 Permit)

VII. 40 CFR 63 Subpart WWWW Requirements

National Emission Standards for Hazardous Air Pollutants for Reinforced Plastic Composites Production

A. Compliance Dates

The permittee is an existing affected source because construction commenced before August 2, 2001. The initial compliance date for the facility was April 21, 2006.

(9VAC5-80-110 and 40 CFR 63.5795, 63.5800, and 63.6(c)(1))

B. Applicable Emissions and Work Practice Standards

1. Open molding and repair operations at the South Boston facility shall comply with the applicable organic HAP emissions limits in Tables 3 or 5 to Subpart WWWW and the work practice standards in Table 4 to Subpart WWWW that include, but are not limited to, the following requirements:
 - a. The application of mold sealing and release agents, mold stripping, and the cleaning of repair parts not manufactured on-site are exempt from the provisions of 40 CFR 63 Subpart WWWW and 40 CFR Part 63 Subpart A per 40 CFR 63.5790(c);
 - b. The permittee shall use either the organic HAP emission factors in Table 1 to Subpart WWWW or the approved site-specific organic HAP emission factors using the procedures outlined in 40 CFR 63.5796, 40 CFR 63.5797, 40 CFR 63.5798 and/or 40 CFR 63.5799 to determine the applicable emission standards in 40 CFR 63.5805;
 - c. Starting on the compliance date, the permittee must be in compliance with the work practice standards in Table 4 to Subpart WWWW at all times per 40 CFR 63.5805;
 - d. The permittee shall select one of the options identified in 40 CFR 63.5810 to demonstrate compliance with the standards in Tables 3 or 5 to Subpart WWWW. The permittee shall specify the compliance option in the semiannual compliance report per 40 CFR 63.5910(i);
 - e. Starting on the compliance date, the permittee must be in compliance with the annual average organic HAP emission limits in Tables 3 or 5 to Subpart WWWW at all times per 40 CFR 63.5810, 40 CFR 63.5835, and 40 CFR 63.5900; and
 - f. The permittee must develop and implement a start up, shut down, and malfunction plan (SSM) in accordance to the provisions of 40 CFR 63.6(e)(3), 40 CFR 63.5835, and 40

CFR 63.5900.

(9VAC5-80-110 and 40 CFR 63.5790, 63.5796, 63.5805, 63.5810, 63.5835, and 63.5900)

C. Performance Testing and Compliance Demonstration

The permittee shall demonstrate compliance with the standards required in applicable organic HAP emissions limits in 40 CFR 63.5805, Table 3, or Table 5 to Subpart WWW and the work practice standards in Table 4 to Subpart WWW as specified in 40 CFR 63.5810 and 40 CFR 63.5835, including conducting required performance tests, performance evaluations, design evaluations, capture efficiency testing and other compliance demonstrations that are required under Subpart WWW in accordance with 40 CFR 63.5840, 63.5845, 63.5850, 63.5855, and 63.5860. Performance testing of any control device shall meet the requirements in 40 CFR 63, Subpart SS. Which include, but not limited to, the following requirements:

1. Initial Performance Testing and Compliance Demonstration

If the permittee elects to meet an organic HAP emissions limit on a 12-month rolling average as provided in Condition VII.A, collection of required data for compliance demonstration purposes must be initiated by April 21, 2006, and compliance shall be demonstrated one year after the compliance date.

2. Monitoring and Continuous Compliance Requirements

- a. The permittee shall monitor and collect all required data pursuant to 40 CFR 63.5895, and demonstrate continuous compliance with all standards specified in 40 CFR 63.5805 pursuant to 40 CFR 63.5900.
- b. Subsequent performance testing shall be conducted every five (5) years following initial testing for any standard met using an add-on control device per 40 CFR 63.5845.

(9VAC5-80-110, 40 CFR 63.5840, 63.5845, 63.5850, 63.5855, 63.5860, 63.5895, 63.5805, 63.5900, and 63.7, and 40 CFR 63 Subpart SS)

D. Requirements for Add-on Control Devices

Pursuant to 40 CFR 63.5805(h) and 40 CFR 63.5855, the permittee shall operate and monitor all add-on control devices according to the procedures in 40 CFR Part 63 Subpart SS. Which include, but not limited to, the following requirements:

1. The closed vent system shall be operated and maintained such that affected sources are under negative pressure and emissions are captured and routed to either the control device or to the atmosphere through a designated exhaust stack;
2. Except where this permit is more restrictive, the monitoring device(s) shall be installed in accordance to the applicable requirements of 40 CFR 63 Subpart SS;
3. The permittee shall develop and implement an operations and maintenance plan to assure this condition is met. The operation and maintenance plan shall be written and shall be submitted

to Blue Ridge Regional Office; and

4. Monitoring records and records of maintenance actions associated with maintaining the closed vent system shall be retained in accordance with the general recordkeeping requirements of this permit and 40 CFR 63 Subparts A, WWW, and SS.

(9VAC5-80-110 and 40 CFR 63.5855, 63.5805(h), 63.988(c), and 63.983(a)(2) & (3))

E. Notifications

The permittee shall comply with all applicable notification requirements that are specified in 40 CFR 63.5905, Table 13 of Subpart WWW, and 40 CFR 63 Subpart A.
(9VAC5-80-110 and 40 CFR 63.5905)

F. Reporting

The permittee shall comply with all applicable reporting requirements that are specified in Table 14 of Subpart WWW, 40 CFR 63.5905, 40 CFR 63.5910, and 40 CFR 63 Subpart A.
(9VAC5-80-110 and 40 CFR 63.5910)

G. Records

The permittee shall keep all required records pursuant to 40 CFR 63.5915 and 63.5920 of Subpart WWW and 40 CFR 63, Subpart A to demonstrate compliance with all applicable requirements. In addition, all records including data, calculations, and any supporting documentation shall be prepared in a format that is acceptable to Blue Ridge Regional Office.
(9VAC5-80-110, 40 CFR 63.5915 and 63.5920)

VIII. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9VAC5-80-720:

Emission Unit No.	Emission Unit Description	Citation	Pollutant(s) Emitted (9VAC5-80-720 B)	Rated Capacity (9VAC5-80-720 C)
G36	Hastings heater	9VAC5-80-720 C		5.74 MMBtu
G38	Hastings LB-3	9VAC5-80-720 C		0.36 MMBtu
G39	Hastings LB-6	9VAC5-80-720 C		0.468 MMBtu
G40	Maxton heater	9VAC5-80-720 C		0.55 MMBtu
G41	Natural gas heater	9VAC5-80-720 C		3.5MMBtu
A32	Hastings heater	9VAC5-80-720 C		5.74 MMBtu
A41	Hastings LB-50	9VAC5-80-720 C		4.70 MMBtu
A42	Hastings LB-3	9VAC5-80-720 C		0.36 MMBtu
AG36	Natural gas heater	9VAC5-80-720 C		0.06 MMBtu
H-1	Natural gas heaters	9VAC5-80-720 C		2.066 MMBtu
H-2	Natural gas heaters	9VAC5-80-720 C		3.099 MMBtu
H-3	Natural gas heaters	9VAC5-80-720 C		0.387 MMBtu
OA6	Trimming	9VAC5-80-720 B	PM-10	< 5.0 tons/yr
OA10	Hydro testing	9VAC5-80-720 B	VOC, PM-10	< 5.0 tons/yr
OP5	Mold Fabrication-Grinding	9VAC5-80-720 B	PM-10	< 5.0 tons/yr
G15	Quality Inspection	9VAC5-80-720 B	VOC, PM-10	< 5.0 tons/yr
A30	Quality Inspection	9VAC5-80-720 B	VOC, PM-10	< 5.0 tons/yr

These emission units are presumed to be in compliance with all requirements of the federal Clean Air

Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9VAC5-80-110.

IX. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 64.2(b)(i)	Compliance Assurance Monitoring for VOC emissions	FRP Line (Ref. G1 - G16), Acrylic Line (Ref. A17-A31, AG32 - AG34), Mold Fabrication Line (Ref. OP1 - OP5), and Acrylic Whirlpool Bathware Line (Ref. OA1-OA5, OA7-OA9)
40 CFR 64.2(a)(3)	Compliance Assurance Monitoring for PM-10	FRP Line (Ref. G1 - G16), Acrylic Line (Ref. A17-A31, AG32 - AG34), Mold Fabrication Line (Ref. OP1 - OP5), and Acrylic Whirlpool Bathware Line (Ref. OA1-OA5, OA7-OA9)
40 CFR 63.7490 and 40 CFR 63.7575	NESHAP for Industrial, Commercial, and Institutional Boilers and Process Heaters, 40 CFR 63 Subpart DDDDD	Hastings direct-fired makeup air heaters (Ref. G36, A32)
40 CFR 60.4c(a)	New Source Performance Standards Subpart Dc	Hastings direct-fired makeup air heaters (Ref. G36, A32)

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by (i) the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9VAC5-80-140)

X. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.
(9VAC5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9VAC5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.

2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9VAC5 Chapter 80, until the Board takes final action on the application under 9VAC5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9VAC5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9VAC5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9VAC5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9VAC5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9VAC5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9VAC5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9VAC5-80-80 B, C, and F, 9VAC5-80-110 D, and 9VAC5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.
2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:
 - a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
 - b. All deviations from permit requirements. For purpose of this permit, deviations include, but are not limited to:
 - (i) Exceedance of emissions limitations or operational restrictions;
 - (ii) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or Compliance Assurance Monitoring (CAM), which indicates an exceedance of emission limitations or operational restrictions; or,
 - (iii) Failure to meet monitoring, recordkeeping, or reporting requirements contained in this permit.
 - c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that "no deviations from permit requirements occurred during this semi-annual reporting period."

(9VAC5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices for the period ending December 31. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. The permittee shall maintain a copy of the certification for five (5) years after submittal of the certification. This certification shall be signed by a responsible official, consistent with 9VAC5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.

5. Consistent with subsection 9VAC5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
7. One copy of the annual compliance certification shall be submitted to EPA in electronic format only. The certification document should be sent to the following electronic mailing address:

R3_APD_Permits@epa.gov

(9VAC5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, Blue Ridge Regional Office within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. Owners subject to the requirements of 9VAC5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9VAC5-50-40. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to Condition X.C.3 of this permit.

(9VAC5-80-110 F.2 and 9VAC5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, Blue Ridge Regional Office by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. Owners subject to the requirements of 9VAC5-50-50 C are not required to provide the written statement prescribed in this paragraph for facilities subject to the monitoring requirements of 9VAC5-50-40. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, Blue Ridge Regional Office.

(9VAC5-20-180 C and 9VAC5-80-110)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9VAC5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is ground for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.
(9VAC5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9VAC5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9VAC5-80-50, 9VAC5-80-1100, 9VAC5-80-1605, or 9VAC5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9VAC5-80-190 and 9VAC5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9VAC5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9VAC5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9VAC5-80-80 G.
(9VAC5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9VAC5-80-50 through 9VAC5-80-300 was issued shall pay permit fees consistent with the requirements of 9VAC5-80-310 through 9VAC5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9VAC5-80-110 H and 9VAC5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9VAC5-50-90 and 9VAC5-80-110)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9VAC5-50-20 E and 9VAC5-80-110)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9VAC5 Chapter 80, Article 1.

(9VAC5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9VAC5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9VAC5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9VAC5-80-110 D.

(9VAC5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit immediately available to DEQ upon request.

(9VAC5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9VAC5-80-130, or from one piece of equipment to another.
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9VAC5-80-200.
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9VAC5-80-200.

(9VAC5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the Board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate

emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows the permittee to comply with the deadline. This notification fulfills the requirements of 9VAC5-80-110 F.2.b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9VAC5-20-180 C.

3. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
4. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9VAC5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9VAC5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any grounds for revocation or termination or for any other violations of these regulations.

(9VAC5-80-190 C and 9VAC5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9VAC5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145),

Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9VAC5-60-70 and 9VAC5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.

(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.

(9VAC5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9VAC5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9VAC5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9VAC5-80-50 through 9VAC5-80-300.

(9VAC5-80-110 I)